

CITY COUNCIL**The City of Orange Township, New Jersey**DATE April 2, 1996NUMBER 93-96

TITLE: A RESOLUTION AUTHORIZING RATIFICATION OF THE COLLECTIVE BARGAINING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ORANGE TOWNSHIP AND THE ORANGE MUNICIPAL EMPLOYEES BENEVOLENT ASSOCIATION ESSEX COUNCIL NO.1/LOCAL 32 O.P.E.I.U.

WHEREAS: The City of Orange Township and the Orange Municipal Employees Benevolent Association, Essex Council No.1/Local 32 O.P.E.I.U. have reached an agreement as to wages and benefits for the period July 1, 1994 through June 30, 1997; and

WHEREAS: N.J.S.A. 40A:4-1 et.seq., the " Local Budget Law " and specifically N.J.S.A. 40A:4-57 mandates that no municipal body can approve an expenditure of funds for any contract unless an appropriation of funds has been made; and

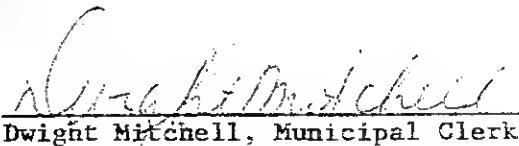
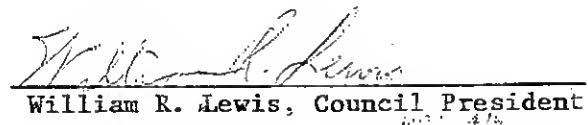
WHEREAS: No appropriation of funds has yet been made in support of this agreement; and

WHEREAS: The City Council of the City of Orange Township is in favor of the proposed contractual agreement and ratification of same, but hereby conditions its approval of any agreement authorizing payment upon proper appropriation made pursuant to N.J.S.A. 40A:4-1; and

WHEREAS: Should said appropriation not be made or identified in accordance with the time frames expressed in the attached memorandum, this agreement will have to be re-authorized.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP, that the contractual agreement known as the Memorandum of Understanding, attached hereto between the City of Orange Township and the O.M.E.B.A. is hereby ratified but no funds can be expended for same unless and until said funds are identified and/or transferred pursuant to N.J.S.A. 40A:4-1 et.seq., the Local Budget Law.

ADOPTED: April 2, 1996


Dwight Mitchell, Municipal Clerk
William R. Lewis, Council President
N.C.L. #17

Regular Meeting - 4/2/96

MOTION TO ADOPT: Monacelli

SECOND: Hackett

Yea: Accomando, Hackett, Monacelli, Page, Council Pres. Lewis
Nays: Thomas
Abstention: None
Absent: Silvestri

APPROVED AS TO FORM, SUFFICIENCY AND LEGALITY

LEGISLATIVE COUNSEL:


Thomas P. Blane
DEP CITY ATTORNEY

MEMORANDUM OF AGREEMENT

The City of Orange Township ("City") and Essex Council No. 1, Local 32, OPEIU, including the Orange Municipal Employees Benevolent Association (OMEBA), on this thirteenth (13th) day of March, 1996 hereby agree as follows with respect to the modifications, amendments and additions that shall constitute their collective negotiations agreement, succeeding the collective negotiations agreement that expired on June 30, 1994.

1. Duration: (Article 1, Section C) July 1, 1994 to June 30, 1997.

2. Salaries: (Article 17)

a. All current base salaries, for the period July 1, 1994 to June 30, 1995, shall be increased by 0%.

b. All current base salaries, for the period July 1, 1995 to June 30, 1996, shall increase four percent (4%) retroactive to July 1, 1995.

1. Payment for the first six months of retroactivity (July 1994 through December 1995) shall be made by the Employer to employees by March 31, 1996.

2. Payment for the next five months of retroactivity (January 1996 through May 1996) shall be made by the Employer to employees by May 31, 1996.

3. Effective June 1996, bi-weekly paychecks will increase to reflect the base salary increase.

4. The bi-weekly paychecks normally scheduled to be received by employees on June 28, 1996, will be deferred to July 1, 1996, with distribution occurring in the a.m. on Monday, July 1, 1996.

c. Wage Reopener: For the period July 1, 1996 to June 30, 1997 either party may request that the wage provision of the agreement be reopened for negotiations. Such request must be made in writing to the other party and must be received no more than 60, but not less than 30, days prior to July 1, 1996. Failure of a party to request reopening of the wage provision in a timely fashion will be deemed to constitute agreement between the parties to continue the base wage rates in effect on June 30, 1996 through the period of July 1, 1996 to June 30, 1997. If either party requests to reopen the wage provision for negotiations in a timely fashion, as provided above, the parties will commence negotiations within 30 days following August 1, and such negotiations will be limited to include only the wage provision and the issue of the age of retirees entitled to Employer paid drug plan coverage, as provided for in Section 5 of this Memorandum of Agreement.

d. Increments: The parties agree to amend Article 17, effective March 13, 1996, to add the following clause to paragraph a:

Employees who receive a change in their salary range due to being at the maximum salary of their present range will receive future salary increments on the anniversary date of the effective date of the change in salary range. The amount of such salary increments shall be determined by subtracting the employees current salary from the salary maximum of the new salary range and then dividing that sum by four (4). The employee will receive that amount as a salary increment on the anniversary date of the salary range change for the next four years.

3. Funeral Leave:

a. The funeral leave provision (Article 30) will be amended, effective March 13, 1996, to add great-grandparents to the category or definition of immediate family.

b. The funeral leave provision is further amended to include the following clause:

If bereavement occurs while an employee is on an approved vacation or personal leave or sick leave, the employee is to receive appropriate credit and the time should be charged to funeral leave.

5. Insurance Benefits: The parties agree to modify Article 32, effective March 13, 1996, by replacing paragraph 2 with the following provisions:

2. a. The Township agrees to provide all retired employees with twenty-five years of service and their dependents with Blue Cross and Blue Shield including Rider J and Major Medical as provided through the Public Employees Retirement System.

b. The Township shall provide the current prescription drug plan to all O.M.E.B.A. employees who retire after 12:01 a.m. in July 1, 1993 through age 67.

c. The age of 67 will be readdressed if a wage reopeners is requested for July 1996 as provided for in Section 3 above.

6. Longevity: The parties agree to modify Article 18, Section G, as follows:

Each employees, who on the anniversary of his or her appointment as an employee of the City of Orange Township has served more than twenty-three years of continuous employment, shall be entitled to a longevity pay of fourteen percent (14%) of his or her base salary computed as of the anniversary date of his or her appointment at the start of the twenty-fourth (24) year of service. This increase shall be retroactive to July 1, 1995.

7. Miscellaneous:

a. All terms and conditions of employment contained in the collective negotiations agreement between the City and OMEBA that expired on June 30, 1994, shall remain in full force and effect except as modified herein.

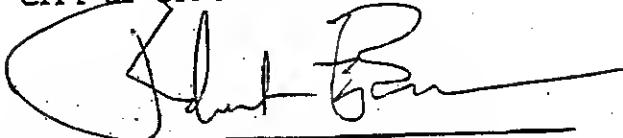
b. This Memorandum of Agreement represents the entire understanding of the parties. Any proposals and counterproposals not contained herein are deemed withdrawn and void. No other agreement between the parties shall be enforceable.

c. This Memorandum of Agreement is subject to ratification by the Orange City Council and by the membership of the OMEBA collective negotiations unit. The Memorandum of Agreement shall take effect upon ratification by each party. Subject to the foregoing, the undersigned hereby represent that they are authorized by their respective principals to enter into this Memorandum of Agreement.

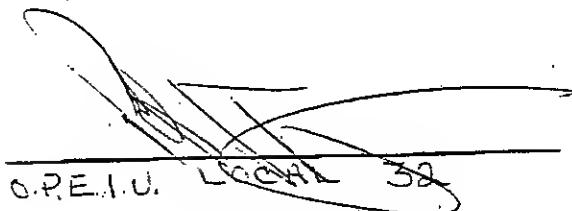
d. The City shall prepare a collective negotiations agreement incorporating the terms of this Memorandum of Agreement.

e. The parties agree to recommend that their respective principals ratify this Memorandum of Agreement.

CITY OF ORANGE TOWNSHIP

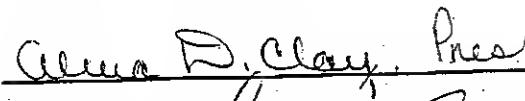


ROBERT L. BROWN, MAYOR

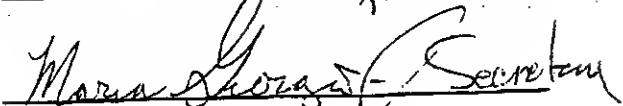


O.P.E.I.U. LOCAL 32

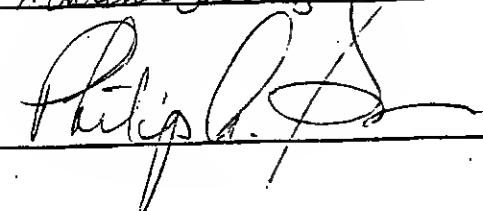
ORANGE MUNICIPAL EMPLOYEES
BENEVOLENT ASSOCIATION



Anna D. Clay, Pres.



Maria George, Secretary



Philip P.

DATE: 3-13-96

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mcnoring22.ap